



U.S. DEPARTMENT of STATE

Uganda

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Uganda is a republic led by President Yoweri Museveni, who continued to dominate the Government following his reelection to a second 5-year term in 2001. He has ruled since 1986 through the Movement, an organization that continued to receive state support and function both as a political party and a state institution. Movement supporters remained in firm control of the legislative branch. Election observers believed that the 2001 presidential and parliamentary elections generally reflected the will of the electorate; however, both were marred by serious irregularities, particularly in the period leading up to the elections, such as severe restrictions on political party activities, incidents of violence, voter intimidation, and fraud. In March 2003, the Supreme Court declared unconstitutional two sections of law that prevented political parties from operating while the "Movement System" remained in place; however, severe restrictions on political activity continued, particularly for opposition parties. The judiciary generally was independent but remained understaffed, weak, and inefficient; in addition, the President had extensive powers of judicial appointment.

The Uganda People's Defense Force (UPDF) was the key security force, and a civilian served as Minister of Defense. The Internal Security Organization (ISO) remained under the direct authority of the President, and was an intelligence-gathering body; however, its operatives occasionally detained civilians. The Chieftancy of Military Intelligence (CMI), under UPDF control, detained civilians suspected of rebel and terrorist activity. The police were organized as a national force under the authority of the Ministry of Internal Affairs. The UPDF continued "Operation Iron Fist" in its 18-year war against rebels of the Lord's Resistance Army (LRA) in the northern and eastern portions of the country and in southern Sudan. A ceasefire announced by the Government on November 14 expired on December 31 after the two sides failed to agree on terms for its extension. Local leaders formed Local Defense Units (LDUs) to reinforce government efforts to protect civilians from LRA attacks. The country provided the use of its airfields and other logistical support for international peacekeepers operating in the Democratic Republic of the Congo (DRC); however, there continued to be allegations that security force members and some government officials supported militia activities in the DRC and profited from illegal trade. While civilian authorities generally maintained effective control of the security forces, there were frequent instances in which elements of the security forces acted independently of government authority. Members of the security forces committed numerous serious human rights abuses.

The country's population was approximately 25.3 million. The economy grew at a rate of approximately 6 percent during the year. Agriculture accounted for approximately one-third of the gross domestic product, and foreign economic assistance accounted for approximately half of government expenditures. The privatization of state-owned enterprises continued. Despite government efforts to curb corruption, perceptions of widespread corruption were cited by potential investors as a major concern.

The Government's human rights record remained poor; although there were some improvements in a few areas, serious problems remained. Domination by the Movement of the political process and continued restrictions on political party activity limited the right of citizens to change their government. Security forces committed unlawful killings and were responsible for short-term disappearances. Torture by security forces and beating of suspects to force confessions were serious problems. Security forces were responsible for incommunicado detention, and prison conditions remained harsh and frequently life threatening. The Government punished some security force officials who were guilty of abuses; however, impunity remained a problem. Arbitrary arrest and detention, including those of opposition supporters, and prolonged pretrial detention were problems. Poor judicial administration, lack of resources, a large case backlog, and lengthy trial delays limited due process rights, including the right to a fair trial. Security forces at times infringed on citizens' privacy rights. The Government at times restricted freedom of speech, the press, and association, and severely restricted freedom of assembly. There were some limits on freedom of religion and movement. Domestic violence against women, rape, and abuse of children, particularly sexual abuse, remained serious problems. Discrimination against women and persons with disabilities remained problems. The Government worked with nongovernmental organizations (NGOs) to combat the practice of female genital mutilation (FGM), which occurred in some parts of the country. The Government at times employed child soldiers. Trafficking in persons was a serious problem, particularly the trafficking of children by the LRA. Vigilante justice remained a problem. There continued to be limits on worker rights. Forced labor, including by children, occurred, and child labor was common, mostly in the informal sector.

The LRA, led by Joseph Kony, committed numerous, serious abuses and atrocities. The LRA increased attacks in the northern and eastern parts of the country during the first half of the year, and rebels routinely killed, maimed, tortured, and abducted civilians, including children. The LRA used children as soldiers, held children and others in slave-like conditions, and subjected

female captives to rape and other forms of severe sexual exploitation during the year. Between 32,000 and 52,000 children known as "night commuters" traveled from conflict areas or internally displaced persons (IDP) camps each night to urban centers to avoid abduction by the LRA.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

Unlike during the previous year, there were no reports of politically motivated killings or executions by the Government or its agents; however, security forces committed unlawful killings during the year and were responsible for at least three deaths as a result of torture.

On March 2, the Joint Anti-Terrorism Task Force (JATF) publicly denied having executed or detained without trial Ismael Muviru, Mutwabil Walakira, Captain Sewamuwa Daudi, and another unnamed man; Human Rights Watch (HRW) claimed the four men were executed without trial in September 2003. The UPDF, the Uganda Human Rights Commission (UHRC), and the independent Foundation for Human Rights Initiative (FHRI) reported that they had investigated the allegations and could not find any evidence to verify the claim. There also was no known response to newspaper appeals for the public to come forward with any information on the case.

There were no developments in any of the other executions committed by security forces in 2003 and 2002.

During the year, there were credible reports that persons died as a result of torture by security forces. For example, on March 26, in Mayuge District, police arrested Jackson Muluta and Aloysius Mugabi on charges of theft; later the same day, the police reported that both men had died. An autopsy conducted on Muluta revealed that he died of a hemorrhage after his skull was fractured and his spleen ruptured. The Uganda Prison Services, which denied torturing either man, conducted a separate autopsy that attributed Muluta's death to hypoglycemia.

On July 20, in Mukono District, Isa Masifu died in his Lugazi police cell after being tortured; two other suspects were severely beaten. Seven policemen were arrested on torture and murder charges and were awaiting trial at year's end.

There were no reports of any action taken against security forces responsible for 2003 or 2002 deaths that resulted from torture.

During the year, police use of excessive force while pursuing suspected criminals resulted in deaths. For example, on January 20, in Kasese, an LDU officer shot and killed a man suspected of stealing a goat; a child standing nearby was also killed after being hit by a stray bullet. Police were deployed to prevent a mob from killing the LDU officer, who was subsequently arrested. No further information was available at year's end.

On March 17, in Kampala, police shot and killed Siraj Mwaike, a suspected mugger, as he fled arrest in Kampala.

On April 28, police shot and killed taxi driver Faisal Bagyeraki, who was wanted for numerous traffic violations, after Bagyeraki refused to stop at a roadblock in Mbarara; two other persons were injured in the incident. On May 10, after public demonstrations against Bagyeraki's killing, police officers Herbert Bamwine and Herbert Natukwatsa were arrested and charged with murder and attempted murder; both officers remained in prison awaiting trial at year's end.

There were no developments in 2003 or 2002 security force killings of criminals as a result of the use of excessive force.

Police forcibly dispersed meetings and demonstrations, which resulted in one death and numerous injuries (see Section 2.b.).

During the year, security forces killed numerous civilians during anti-LRA operations (see Section 1.g.).

LRA attacks continued during the year and resulted in thousands of deaths (see Section 1.g.).

LRA landmines resulted in deaths and injuries (see Section 1.g.).

Raids by armed cattle rustlers of the Karamojong ethnic group continued during the year in Katakwi, Kotido, Kumi, Nakapiripirit, Moroto, Kaberamaido, Pader, Lira, and Kapchorwa districts in the northeast. These raids resulted in the deaths of more than 100 persons and the displacement of thousands. The Government continued its Karamoja disarmament program during the year (see Section 5). UPDF forces killed numerous persons during clashes with armed Karamojong warriors during the year.

Interethnic violence resulted in deaths (see Section 5).

Incidents of vigilante justice were reported frequently during the year. There were numerous instances in which mobs beat, stoned, or burned to death individuals suspected of petty theft, witchcraft, or infidelity. For example, on June 11, residents of Kinoni Village near Mukono burned a suspected thief to death. On July 14, a mob of motorcyclists smashed the head of a passenger, poured gasoline on his body, and set him on fire for not paying the transport fee in Mbarara town.

During the year, authorities prosecuted persons who engaged in mob violence. For example, in March, six persons were tried for murder by mob justice in Nakasongola District. On June 3, Kamuli police arrested 15 persons for lynching Samuel Tigawalana, who was suspected of witchcraft.

There were reports of actual or attempted ritual killings of children during the year (see Section 5).

Ethnic Pokot warriors killed civilians during the year. On April 10 and 13, Pokot rustlers from Kenya killed two civilians during a cattle raid in Kabei subcountry, Kapchorwa District. In a separate attack, Pokot rustlers from Kenya and the country killed 8 civilians in Namalu sub-country, Nakapiripit District.

b. Disappearance

There were no reports of politically motivated disappearances due to action by government forces; however, there continued to be reports of disappearances during the year. In most cases, the missing person was located after a period of incommunicado detention in the custody of security forces (see Section 1.d.).

On October 30, armed men in uniform apprehended James Kashaija, a supporter of opposition leader Kizza Besigye, at his home in Kampala, according to witnesses; Kashaija's whereabouts were unknown at year's end.

On February 2, the High Court in Kampala ordered the Army Commander to produce Captain Robert Ruteinama, who had been in military detention since his December 2003 arrest by security forces. The Army failed to produce Ruteinama, did not confirm or deny the arrest, and had not responded to the court by year's end.

Former Makerere University guild president Peter Ojur, who reportedly disappeared after he returned to the country in January 2003 after military training abroad, reappeared; Ojur was detained for several weeks in 2003 by security forces.

Rebel groups have abducted approximately 38,000 persons since 1986, according to UNICEF. The LRA continued to abduct thousands of civilians for training as guerrillas; most victims were children and young adults whom the LRA forced into virtual slavery as laborers, soldiers, guards, and sex slaves (see Sections 1.g. and 5).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, there were widespread and credible reports that security forces tortured and beat suspects in unregistered detention facilities to force confessions. Between January and December, the UHRC received 2,249 complaints of mistreatment; 179 of those complaints involved torture. The UHRC Tribunal confirmed many of these complaints and ordered the Government to compensate the victims. Security units involved in torture included the regular police, the UPDF, and the Violent Crimes Crack Unit (VCCU); on occasion, such torture resulted in death (see Section 1.a.).

On December 4, unidentified persons abducted and tortured Sam Aniga, a driver employed by Ogenga Latigo, an opposition Member of Parliament (M.P.); Aniga, who was released after 48 hours, had refused to answer questions about Latigo's alleged secret meetings.

In June 2003, at Makindye military barracks, the UHRC visited prisoners who claimed to have been arrested and tortured by the VCCU; the prisoners bore signs of torture. On April 21, the UHRC reported its findings to Parliament; however, no investigation had been conducted by year's end.

Unlike in the previous year, there were no reports that members of the LDUs, who frequently lacked training, mistreated prisoners and detainees; however, some LDU members committed abuses during the year, including killings (see Section 1.g.).

Police and security forces harassed and detained opposition activists (see Sections 1.d. and 2.b.).

There were reports that UPDF soldiers raped persons, particularly in conflict areas (see Sections 1.g. and 5).

During the year, the UHRC Tribunal awarded compensation to several persons who had been abused by security forces. For example, on April 1, the UHRC Tribunal awarded approximately \$35,000 (60 million shillings) to Fred Bagole as compensation for being tortured by military intelligence in Kampala District in 2001.

On April 14, the UHRC Tribunal awarded approximately \$20,500 (35 million shillings) to Jackson Cherop as compensation for

his illegal arrest and torture by UPDF officers in Mbale District in 2002. In December, the Tribunal awarded \$31,000 (54 million shillings) to the family of Edrissa Omulago Isabirye, who died as a result of torture by the VCCU in 2002.

However, the Government has not compensated many complainants for the violation of their rights by police and security forces. In May, the UHRC revealed that the Government owed approximately \$412,000 (700 million shillings) awarded by the tribunal to approximately 50 persons.

No action was taken during the year against security organizations that reportedly tortured prisoners in Kigo Prison or CMI personnel who were illegally arresting and torturing persons to force them to pay their financial debts; in July 2003, the UHRC testified of such incidents before the Legal and Parliamentary Affairs Committee. No action was taken against VCCU officers responsible for the 2003 torture of Bumali Mubiri and Sam Okiring.

There were no further developments in the reported 2002 cases of torture or abuse by security forces.

During the year, civilians were killed, injured, and displaced as a result of security force operations against the LRA (see Section 1.g.).

During the year, the LRA continued to commit numerous atrocities, including the killing, torturing, and kidnapping of civilians, primarily children (see Section 1.g.).

There were numerous instances in which mobs attacked suspected thieves and other persons known or suspected to have committed crimes (see Section 1.a.). Motivated in part by distrust or misunderstanding of the formal judicial system, these mobs engaged in stonings, beatings, and other forms of mistreatment. Such mistreatment included tying suspects' wrists and ankles together behind their backs, stripping suspects of their clothes, parading them through the streets, and other forms of torture and inhuman or degrading treatment.

For example, in July, a mob in Mayuge District tried to lynch Peter Isabirye, a traditional healer, for allegedly kidnapping and murdering a 2-year-old boy. No action was taken against the mob or Isabirye, who escaped the mob after police intervention.

Prison conditions remained harsh and frequently life threatening, primarily as a result of the Government's severely inadequate funding of prison facilities. In addition, there were several reports that security forces and guards tortured inmates. Prison conditions came closest to meeting international standards in Kampala, where prisons provided medical care, running water, and sanitation; however, these prisons also were among the most overcrowded. There were an estimated 19,000 inmates in the country's prisons and police cells. By one estimate, the country's prisons held approximately three times their planned capacity. The central prison system continued to work with NGOs and the donor community to improve prison buildings, water and sanitation systems, food, and the provision of uniforms; however, progress was minimal during the year. Although the law provides for access to prisoners by their families, ignorance of this right and fear of prison authorities often limited family visits. Prisoners held on treason charges complained that security officers kept files on and harassed their visitors. The UHRC reported that it received allegations that officers in charge of police cells sometimes demanded bribes to allow visits.

On August 3, approximately 340 inmates at Bushenyi government prison went on strike to protest lengthy pretrial detentions and the July torture by prison wardens of inmate Moses Barishaba. Prison authorities turned over to police the staff members alleged to have committed the torture.

Inmates at most prisons grew maize, millet, and vegetables; however, the UHRC accused prison farms of overworking inmates (see Section 6.c.).

The Community Service Act seeks to reduce prison congestion by allowing minor offenders to do community service instead of being imprisoned. Since 2001, 1,726 offenders have been sentenced to community service in 4 pilot districts. By year's end, the program had been expanded to 10 additional districts.

There were a number of deaths in custody, some due to torture (see Section 1.a.). Prisons were believed to have high mortality rates from overcrowding, malnutrition, diseases spread by unsanitary conditions, HIV/AIDS, and lack of medical care; however, accurate estimates were unavailable. According to the Prisons Department, 230 inmates died in custody between January and October. Approximately 60 percent of these deaths were due to HIV/AIDS-related diseases. During the year, government agencies sponsored or participated in several conferences on the judicial system and prison conditions and worked with international and domestic human rights organizations on prison reform efforts.

Female prisoners were held in segregated wings with female staff in most prisons; conditions were severely substandard. Due to lack of space in juvenile facilities, juveniles often were held in prisons with adults. The central prison system maintained one juvenile prison and four remand homes. School facilities and health clinics in all five juvenile institutions were grossly inadequate; prisoners as young as 12 performed manual labor from dawn until dusk. Severe overcrowding also was a problem at juvenile detention facilities and in women's wings. The remand home in Kampala, designed for 45 inmates, held more than 80 children. In Kampala jails, pretrial detainees were kept separate from convicted prisoners; however, in the rest of the country, due to financial constraints, pretrial detainees and convicted prisoners sometimes were held together.

During the year, the Government permitted access to prisons by the International Committee of the Red Cross (ICRC), foreign diplomats, and local NGOs, principally FHRI and the Uganda Prisoners' Aid Foundation. The UHRC visited numerous prisons and reported on its findings publicly; however, the UHRC also complained that it was not given access to UPDF detention facilities or "safe houses." Prison authorities required advance notification of visits, a process that was sometimes subject to administrative delays.

d. Arbitrary Arrest or Detention

The Constitution prohibits such practices; however, members of the security forces arrested and detained citizens arbitrarily during the year.

The police force was widely perceived to be ineffective. Major constraints included low pay and lack of vehicles, equipment, and training. Police committed numerous abuses, and impunity was a problem. Widespread corruption resulted in the dismissal of some local police officials during the year. In conjunction with the UHRC, the UPDF continued a training program to educate officers on internationally recognized human rights standards. In addition, the police, UPDF, and the Prisons Department used a human rights manual in their training programs. The UPDF made attempts to improve relations between soldiers and civilians.

The Police Human Rights Desk received 300 allegations of police abuse during the year and reported that approximately 140 complaints had been resolved by year's end.

LDUs operated principally in rural areas. Such forces consisted entirely of volunteers and were authorized to carry arms. Their principal purpose was to provide defense to populations affected by rebellions. However, in some cases, they also participated in offensive military operations and carried out police functions. The structure and legal mandate of LDUs were often unclear. Some LDU members committed abuses during the year, including killings.

Under the Constitution, search warrants issued by competent judges or prosecutors are required to make arrests; however, in practice, suspects often were taken into custody without warrants. Despite a provision that suspects must be charged within 48 hours of arrest, many persons were detained for more than 48 hours without being charged. Suspects must be brought to trial or released on bail within 120 days (360 days for a capital offense); however, if the case is presented to the court before the expiration of this period, there is no limit on pretrial detention. Detainees must be informed immediately of the reasons for their detention, although authorities did not always enforce these procedural protections in practice. Suspects must have access to a lawyer; however, there was no provision ensuring family visitation. The Constitution provides for bail in all but capital cases and cases of treason.

The Anti-Terrorism Act permits suspects to be held for more than 48 hours without charge and states that persons convicted of terrorist acts that "directly result in the death of any person" shall be sentenced to death; however, no death sentences were carried out during the year. Several persons were detained under the Anti-Terrorism Act during the year (see Section 2.c.).

Security forces arbitrarily arrested political activists during the year. On July 16, the Uganda Peoples Congress (UPC) party announced that it was searching for 15 members who had been arrested in July and detained by the CMI in Lira District; 7 members were subsequently located in police stations. C.P. Okello, one of the seven, claimed to have been tortured by the CMI. On July 16, a court in Lira charged five of the missing members--Francis Odong, Gaba Otim, Joseph Eteng, Kenneth Oting, and Cyprian Okello--with treason. At year's end, seven members were in detention and eight remained unaccounted for.

Unlike in the previous year, there were no arrests of journalists.

Mass arrests during police sweeps for criminals remained a problem. For example, on January 20, police in Masindi arrested 400 persons after several criminal killings were committed in the area; it was unknown how many remained in detention at year's end. On July 21, police in Rubaga division in Kampala arrested 100 persons for being idle and disorderly; 40 were released on bond, and 60 were detained at Old Kampala Police Station. It is unknown how many remained in detention at year's end.

The number of persons still being held as a result of 2003 mass arrests in Kampala, Mbale, and Gulu remained unknown.

During the year, the Government released and sometimes compensated persons who had been arbitrarily arrested. On June 15, the High Court awarded Pascal Gakyaro, a supporter of the Reform Agenda (RA) political group, approximately \$17,500 (30 million shillings) as compensation for his unlawful arrest and detention in January 2003; Gakyaro claimed to have been tortured during his 8 days in detention. On June 23, the Court Martial withdrew charges of terrorism and released Corporal Patrick Olupot and Umaru Okello, who were arrested in May 2003. On August 13, 22 members of a Muslim group were set free after treason charges were withdrawn; the 22 were arrested in 2003 for allegedly financing the ADF.

On May 17, the UHRC awarded approximately \$1,700 (3 million shillings) to Stephen Mwebaze, who was detained illegally for 10 days in 1999.

It was unknown whether the 10 men arrested without charge by the JATF in August 2003 remained in unofficial detention centers in Kampala; 4 other persons arrested with the 10 were executed in 2003.

No action was taken during the year against the UPDF officer who ordered the illegal 2003 arrest of Gulu State Attorney Sydney Asubo.

The 2002 case of policeman Benson Ikonyat, who was charged with terrorism after being found with army uniforms and guns at Amusu village, was ongoing at year's end.

There were no developments in other 2002 cases of arbitrary arrest or detention.

Legal and human rights groups criticized the excessive length of detention prior to trial, which in many cases amounted to several years; such lengthy pretrial detentions both violated the constitutional rights of the detainees and contributed substantially to prison overcrowding (see Section 1.c.). Pretrial detainees comprised 60 percent of the prison population. The average time in pretrial detention was between 2 and 3 years. During the year, the UHRC heard several cases brought by prisoners challenging the length of their detention.

During the year, there were reports that civilians were detained in military barracks and unregistered detention facilities known as safe-houses. There were credible allegations that the CMI ordered detainees held incommunicado at police stations or in so-called safe houses. For example, on April 27, the High Court ordered CMI chief Colonel Noble Mayambo to produce Titus Kiwanuka, who had been detained without charge in military barracks since March 12; Kiwanuka was subsequently charged and moved to Kigo Prison, where he was awaiting trial at year's end.

There were reports of political detainees (see Section 2.b.). During the last 2 years, the Government has arrested and charged with treason more than 40 persons for collaborating with the People's Redemption Army (PRA); none of the 40 had been tried by year's end. For example, on November 22 and December 13, security forces detained, respectively, Joseph Musasizi, the brother of 2001 presidential candidate Kizza Besigye, and George Owakukiroru, an elected official in the Rukungiri district government; both Musasizi and Owakukiroru, who were members of the opposition Forum for Democratic Change (FDC), were being detained at year's end. During November and December, the CMI arrested 16 persons, most of whom were opposition supporters, on charges of treason; all 16 were being detained at year's end.

The RA alleged in 2003 that more than 280 of its members had been arrested in 2003 and 2002 due to their political opinions. The Government maintained that the arrests were lawful and that some of those arrested would be prosecuted for treason.

RA supporter Dan Magarura, who in 2003 was arrested on treason charges, was released on bail in September 2003.

Patrick Biryomumaisho Kirasha and four others accused in 2003 of recruiting persons for the PRA rebel group remained in detention at year's end.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice; however, the President had extensive legal powers of judicial appointment. The President appoints Supreme Court, High Court, and Court of Appeal judges with the approval of Parliament. The President also nominates, for the approval of Parliament, members of the Judicial Service Commission, who make recommendations on appointments to the High Court, the Court of Appeal, and the Supreme Court. The judiciary ruled against the Government on several high-profile cases during the year; however, judicial corruption was a serious problem. For example, a High Court judge was accused during the year of soliciting a \$500,000 (850 million shillings) bribe; the case was pending at year's end. The lower courts remained understaffed, weak, and inefficient.

The Supreme Court ruled against the Government on several cases: The January 29 decision that invalidated a constitutional amendment on parliamentary rules; the February ruling that struck down a section of the Penal Code that prohibited the publication of "false news"; and the September 2 ruling that provisions of the 2000 Referendum Act were unconstitutional (see Section 3).

The highest court was the Supreme Court, followed by the Court of Appeal, which also functioned as the Constitutional Court for cases of first instance, the High Court, the Chief Magistrate's Court, local council (LC) level three (sub-county) courts, LC level two (parish) courts, and LC level one (village) courts. A minimum of six justices could sit on the Supreme Court and the Court of Appeal.

The LC courts had the authority to settle civil disputes, including land ownership and debt cases, and criminal cases involving children. These courts, often the only ones available to villagers, reportedly exceeded their authority by hearing criminal cases, including murder and rape. LC court decisions could be appealed to magistrates' courts; however, there often were no records made at the village level, and some defendants were not aware of their right to appeal. Unlike in the previous year, there were no reports of bribery and discrimination against women in some rural LC courts.

The civilian judicial system contained procedural safeguards, including bail and the right of appeal; however, an inadequate system of judicial administration and a lack of resources, resulting in a serious backlog of cases, limited the right to a fair trial.

During the year, the High Court reduced its backlog from 84 to 51 cases. All nonmilitary trials were public.

Many defendants could not afford legal representation. The Constitution requires that the Government provide an attorney for indigent defendants accused of capital offenses, but there rarely was enough money to retain adequate counsel. The Uganda Law Society (ULS) operated legal aid clinics in four regional offices, although services remained limited due to funding constraints. The ULS also assisted defendants in military courts. The local chapter of Uganda Women Lawyers Association and the FHRI practiced public interest law from offices in Kampala. The Law Development Center operated a legal aid clinic to address cases involving children and those accused of petty crimes. A public defense service also operated; however, it lacked government funding and relied solely on donor support.

Specialized courts also existed. The Industrial Court (IC) arbitrated labor disputes. Commercial courts resolved commercial disputes, improved commercial justice, and reduced case backlogs.

The military court system often did not assure the right to a fair trial. Although the accused had the right to legal counsel, some military defense attorneys were untrained and could be assigned by the military command, which also appointed the prosecutor and the adjudicating officer. The law establishes a court-martial appeals process; however, a sentence passed by a military court, including the death penalty, could be appealed only to the senior leadership of the UPDF. Under circumstances deemed exigent, a field court martial could be convened at the scene of the crime; however, the law does not permit an appeal under this provision. In 2002, the ULS filed a petition challenging the execution of soldiers under field court martial without the right of appeal; the case had not been resolved at year's end.

During the first 8 months of the year, the VCCU arrested and detained at least 1,100 suspects on various counts, including terrorism, aggravated robbery, murder, illegal possession of firearms, and desertion. The VCCU used military courts to try by court martial civilians found in possession of military property. The Government continued to arrest and charge persons for treason, especially captured rebel fighters, and opposition supporters (see Section 1.d.). During the year, numerous human rights abuses continued to be committed in connection with treason cases, including political detention, detention without charge, detention in unregistered and unofficial locations, and mistreatment, including torture.

The 2000 amnesty law applies to all persons involved in insurgencies since the Movement came into power in 1986. Between January and December, 3,048 former LRA combatants were granted amnesty; 7,613 former combatants have received amnesty since 2000. The amnesty law was extended through December.

There was at least one political prisoner. Bright Gabula Africa, whose death sentence for treason was upheld by the Supreme Court in 1995, remained imprisoned pending the outcome of his appeal to the Advisory Committee on the Prerogative of Mercy, a largely autonomous constitutional body.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions, and the Government generally respected these prohibitions in practice; however, there were some exceptions. Although the law requires that police obtain search warrants before entering private homes or offices, at times police did not obtain warrants prior to searches.

The Anti-Terrorism Act authorizes certain law enforcement officials to intercept communication to detect and prevent terrorist activities.

There continued to be reports that prison officials routinely censored prisoners' mail.

There were reports that the Government punished family members of suspected criminals and political opposition members, and some family members of political opponents to the Government had difficulties at border crossings while leaving the country (see Section 2.d.).

g. Use of Excessive Force and Violations of Humanitarian Law in Internal and External Conflicts

Security forces tortured and abused civilians suspected of collaborating with the LRA; however, unlike in previous years, there were no reports that security forces killed suspected collaborators.

During the year, security forces killed and injured numerous civilians, including noncombatant children abducted by the LRA, during anti-LRA operations in the northern and eastern parts of the country. Some observers charged that UPDF tactics, including extensive use of helicopter gunships, resulted in deaths and injuries to such children and that the UPDF failed to protect noncombatants during engagements with the LRA. The UPDF denied such allegations, noting that more than 80 percent of LRA fighters were child soldiers, which made it difficult to distinguish between combatants and noncombatants during engagements with the LRA.

On April 4, at an IDP camp in Gulu, the UPDF's 309 Brigade fired a mortar and killed five civilians. In two separate incidents on December 19, LDU soldier Simon Ogwanga shot and killed a civilian in an IDP camp in Alozi sub-country, and LDU soldier Tom

Ocen shot and killed two children in Kwera sub-county. Both soldiers were arrested and awaiting trial at year's end.

There also were persistent and credible reports that the UPDF failed to protect civilians threatened by the LRA. On February 5, for example, more than 40 persons were killed during an LRA attack on the Abiya IDP camp in Lira District under the protection of a small UPDF force; most of the UPDF unit had left to collect their pay, and the unit's commander allegedly had gone to Kampala without authorization.

Security forces were sometimes implicated in widespread reports of rape and sexual violence against women and girls. In some instances, perpetrators were punished after victims complained; however, most such incidents went unpunished, in part because the procedures for making such complaints were not widely known.

There were no new developments in the following 2003 killings by UPDF forces: The February killing of a Sudanese national; the July 22 and 24 killings of 21 civilians by UPDF helicopter gunships; and the October 2003 killings of two civilians by a UPDF soldiers in Gulu.

Unlike in the previous year, there were no reports that UPDF members were responsible for killings and other abuses in the DRC; however, militia groups operating in the area committed serious human rights abuses. Some of the worst abuses occurred in parts of northeastern DRC that were under UPDF influence. There were credible reports security forces and some government officials provided material support to armed groups operating in Ituri. Militia fighting resulted in the deaths of hundreds of civilians from the DRC. Independent observers often found access difficult due to hazardous security conditions and frequent impediments imposed by authorities.

LRA attacks increased during the first half of the year, and there were numerous atrocities. Civilians were summarily executed, often by gruesome methods, to terrorize local populations or as retribution for violating various LRA edicts, such as the prohibition on riding bicycles. LRA rebels also attacked private homes, schools, churches, and IDP camps in which persons were killed, injured, raped, mutilated, or abducted. During the year, LRA attacks resulted in the deaths of several thousand persons, including children; numerous injuries; and the destruction of homes and property.

During the first 3 weeks in February, LRA attacks in Lira district IDP camps resulted in more than 250 deaths and the displacement of 283,000 persons. For example, on February 21, in Lira District, LRA rebels attacked the Barlonyo IDP camp, killed more than 200 persons, and abducted an unknown number. Most of the dead, who were predominantly women and children, were burned alive when rebels set fire to thatched roofs in the camp. Other civilians were killed by rocket-propelled grenades and anti-tank weapons. The UPDF conceded that local militia had marshaled little resistance, were unable to operate their weapons properly, and suffered from "command problems."

On May 28, LRA rebels killed 2 persons and abducted 17 during an attack on Gweno-twom village in Gulu District.

On June 8, LRA rebels killed 25 civilians, abducted 26 persons, including children, and burned 600 thatched huts in Abok IDP camp in Apac District.

No action was taken against LRA rebels who were responsible for numerous killings in 2003 and 2002.

The LRA continued to use landmines, which resulted in deaths and injuries during the year. For example, on February 25, a vehicle hired by a BBC crew hit a landmine on Lira-Okwang road; one soldier died, and the driver was seriously injured.

The LRA continued to abduct thousands of civilians for training as guerrillas; most victims were children and young adults whom the LRA forced into virtual slavery as laborers, soldiers, guards, and sex slaves (see Section 5).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government at times restricted these rights in practice. In addition, the law criminalizes offenses committed by the media and limited the media's ability to function effectively. The Government at times harassed and intimidated journalists, who continued to practice self-censorship. The Government did not restrict academic freedom.

On February 23, the Uganda Law Council upheld the regulation prohibiting lawyers from making public statements on legal matters that were before court; however, the ban continued to be widely disregarded without penalty.

Private media were generally free and outspoken. There were many privately owned publications and broadcasts. The New Vision, a government-owned daily newspaper, sometimes included reporting that was critical of the Government. The Monitor, the country's largest independent daily newspaper, consistently was critical of the Government. During the year, four independent weekly newspapers began publication. The East African, a Kenya-based weekly publication that provided extensive

reporting on the country, continued to circulate without government hindrance.

Unlike in the previous year, there were no reports that persons were arrested for publicly criticizing the Government.

The Government continued to operate Radio Uganda, the only national radio station, and one television station (UTV), whose reporting was not considered to be independent. At year's end, there were at least 60 private radio stations in operation, with another 60 awaiting licensing. Several independent media outlets broadcast daily or weekly political talk shows, including recorded off-site radio public debates called "ekimeeza" (table talk), which were often very critical of the Government.

On November 25, Minister of Information James Nsaba Buturo instructed the Uganda Broadcasting Council to revoke the licenses of those stations that "abuse the President or use offensive language and fail to correct the behavior." Buturo also announced that no additional licenses would be issued for stations seeking to broadcast in Kampala; in 2003, the Broadcasting Council proposed regulations that would limit the number of FM radio stations, allegedly to prevent overburdening the airwaves and adversely affecting the quality of broadcasting. Critics charged that the restrictions targeted independent radio, which was the primary news source for 80 percent of the population.

There were four local private television stations and numerous private television stations available via satellite.

Unlike in the previous year, no journalists were arrested or detained; however, journalists were harassed during the year. On June 18, six journalists covering a court martial that involved army corruption were convicted by the same tribunal of contempt of court. Some of the six, who were sentenced and released without detention, were not provided legal counsel. At least some of the convictions were being appealed at year's end.

There were no developments in the ongoing trial of Vincent Matovu, who was arrested in January 2003 and charged with sedition for the publication of two articles.

Unlike in previous years, the Government did not ban broadcasts or publications due to editorial content; however, on April 16, the Government banned the tabloid Entango Ya Rukundo for allegedly publishing pornographic material.

On February 11, the Supreme Court in a unanimous decision declared unconstitutional the law prohibiting publication of "false information." On February 21, the Government dropped its case against two editors and a journalist for the Monitor on charges of publishing "false news" that threatened national security. The case arose from a Monitor report on an alleged UPDF helicopter crash in 2002.

During the year, the Government cited national security as grounds to suppress media reporting that criticized the Government or its handling of the LRA conflict, particularly reports that the LRA had killed UPDF soldiers. In January, army spokesperson Shaban Bantariza accused two Monitor journalists of being LRA rebel collaborators; the two journalists had covered the killing of UPDF soldiers by LRA rebels. In September, Vice President Gilbert Bukenya accused the electronic media of "painting a false image of the Government."

On September 19, the Government lifted its June 2003 ban on reporting by journalist Frank Nyakairu, who had contributed to a story about an alleged 2002 UPDF helicopter crash.

In March 2003, the UPDF warned that media outlets that published or broadcast classified information or abetted soldiers in leaking information would be subject to punishment, including the possibility of court-martial.

In November 2003, the Attorney General banned the media from reporting the declarations of assets and liabilities made by the country's political leaders; however, no action has been taken against journalists who published such information.

Media laws require that journalists be licensed to meet certain standards, such as possessing a university degree in journalism or the equivalent. A 1994 law also provides for a Media Council with the power to suspend newspapers and deny journalists access to state information. On January 14, the Media Council held its first meeting.

Unlike in the previous year, there were no reports that citizens harassed journalists. No investigations were conducted into 2003 attacks by ruling party members of Imelda Namutebi in February and Hadija Nakitende in December.

The Government did not limit access to the Internet.

Unlike in the previous year, there were no reports that police forcibly dispersed university political debates.

b. Freedom of Peaceful Assembly and Association

The law restricts freedom of assembly, particularly for political groups, by prohibiting any activities that interfere with the

Movement system of governance; in practice, security forces often enforced these restrictions. For groups legally authorized to operate, permits were not required for public meetings; however, groups were required to notify the police prior to such gatherings. Police denied permission to hold public rallies to several opposition political groups during the year and, on several occasions, disrupted or forcibly dispersed opposition meetings and other events. Security forces arrested and detained opposition members.

Mainstream political opposition groups, including the FDC, the Democratic Party (DP), and the UPC, generally complied with government restrictions to hold meetings only in enclosed spaces; however, the ruling Movement had frequent public demonstrations in support of President Museveni and his efforts to eliminate presidential term limits.

During the year, security forces arrested and intimidated members of the opposition and disrupted numerous rallies and political events. On April 1, the Inspector General of Police, Major General Edward Katumba Wamala, directed police officers to arrest members of any unregistered political organization that held or was attempting to hold a political rally.

On January 25, police in Mukono District detained four members of the Popular Resistance Against Life Presidency (PRALP) for attempting to organize illegal meetings; the four reportedly were released the same day, but were instructed to report to court every month.

On February 29, police in Kampala arrested two members of Uganda Young Democrats, affiliated with the opposition DP, for organizing an illegal assembly. On March 2, the two were released; the case was pending trial at year's end.

On March 5, in Jinja, government supporters dispersed a political meeting organized by the Parliamentary Advocacy Forum (PAFO); several persons were injured, including an M.P. with disabilities who was pushed through a ground-floor window. The attackers reportedly had been paid approximately \$800 (1.5 million shillings) by progovernment officials to disrupt the meeting, which was attended by several opposition M.P.s. PAFO officials charged that local police, who did not intervene, had been ordered to step aside. A December 17 report by a parliamentary select committee charged two local officials with primary responsibility for the incident, but recommended that all those responsible be prosecuted.

On May 23, police briefly detained supporters of two rival candidates who clashed at a campaign rally in Mbale.

On June 5, police in Kyotera, Masaka District arrested and detained 17 PRALP activists for attempting to hold an illegal assembly. The 17, who were released after 1 week, did not appear for their October 14 court hearing; in December, police issued an arrest warrant for the 17.

On August 7, police accidentally shot and killed a secondary student during a street battle between Muslims and Christians in Kyazanga Town, Masaka District. Several others were injured in the incident.

On August 14, in Bugiri, the Resident District Commissioner fired live bullets in the air to disperse a meeting of the National Freedom Party; police subsequently arrested several members of the group for holding an illegal assembly.

On August 18, the police in Kampala detained and questioned M.P. Ken Lukyamuzi for 2 hours for allegedly "inciting violence" at a public rally in July.

Police also blocked other types of demonstrations during the year. For example, on May 4, anti-riot police in Kasese prevented a demonstration by residents over alleged harassment of their chairman by district councilors.

In June, police in Mbarara dispersed a Uganda Youth Alliance conference because the group had not sought permission to hold such a gathering.

The Government reportedly settled out of court with the parents of freelance journalist Jimmy Higenyi, who was killed by police in 2002 during a UPC rally.

No further action was taken against the members of the police who forcibly dispersed demonstrations in 2003 or 2002.

The Constitution provides for freedom of association; however, the Government severely restricted this right in practice, particularly for opposition political parties and organizations (see Section 3). NGOs were required to register with the NGO Board, which included representation from the Ministry of Internal Affairs as well as other ministries.

c. Freedom of Religion

The Constitution provides for freedom of religion; however, in practice, the Government imposed some restrictions.

The law requires religious groups and foreign missionaries to register with the Government; failure to register is a criminal

offense. The Government continued to refuse registration to the World Last Message Warning Church due to continuing suspicions arising from the killings of more than 1,000 citizens in Kanungu in 2000. There were no reports that the Government refused to grant such registration to any other religious organization.

Several religious groups, which had been shut down by police as suspected "cults" in previous years, remained closed at year's end. In addition, bans against nighttime prayer meetings by evangelical churches, reportedly for security and noise abatement reasons, were still in effect in residential areas of several districts. For example, in October, police in Kayunga banned night prayers to reduce insecurity in the district.

The May 2003 closure of Prophetess Nabaasa Gwaja's worship center in Ntuusi village remained in effect at year's end.

There were reports that security officials harassed Muslims; however, the Government maintained that certain Muslim suspects were detained on charges of treason and terrorism, not on religious grounds. On March 25, antiterrorism police in Kampala arrested two Muslim religious leaders and five other suspects on treason charges. The Muslim religious leaders claimed they were arrested for their religious beliefs, but the Government insisted they were arrested for recruiting for the ADF. The men were in detention awaiting trial at year's end.

Muslims occupied positions of authority in local and central government; however, some Muslim leaders claimed that the number of positions did not reflect their percentage of the population.

The LRA was responsible for attacks against religious institutions during the year. On May 18, LRA rebels abducted Anglican Bishop Benjamin Ojwang and 11 other persons from the Bishop's home in Kitgum; the abductees were rescued that night by UPDF forces. In June 2003, LRA leader Joseph Kony ordered the LRA to "destroy all church missions and kill all priests in northern Uganda."

No action was taken against LRA rebels responsible for killing, injuring, and abducting religious workers in 2003.

For a more detailed discussion, see the [2004 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government at times limited them in practice. Some local officials reportedly demanded payment of fees before writing a letter of introduction on behalf of individuals changing their residence. A married woman must obtain her husband's written permission on her passport application if children are to be listed on her passport.

On February 7, security agents seized the passport of Joseph Musasizi, the brother of exiled opposition leader Kizza Besigye, and prevented him from traveling abroad; on February 9, Musasizi's passport was returned to him.

On August 17, William Onyanga, a supporter of Kizza Besigye and Lira District Council speaker, was blocked from traveling to South Africa.

Continued attacks by the LRA and Karamojong warriors caused many ethnic Acholis and Iteso to leave their homes for urban centers, IDP camps, and villages guarded by the UPDF and LDUs. According to the U.N. office of the Coordinator for Humanitarian Affairs, there were more than 1.3 million registered IDPs as a result of this violence. At year's end, the number of IDPs per affected district were: Gulu, 558,765; Kitgum, 267,078; Pader, 279,589; and Lira, 298,197.

During the year, the LRA killed and injured numerous persons during attacks on IDP camps (see Section 1.g.). In the north, security forces continued their policy of maintaining UPDF detachments at IDP camps as a means of protecting civilians and denying support to the LRA. Security and health conditions in the approximate 200 IDP camps remained precarious, and several were the targets of large-scale rebel attacks (see Section 1.g.).

In April, in Adjumani District, LRA rebels in groups of 7 to 20 began attacking Sudanese refugee settlements in Adjumani; approximately 20,000 Sudanese refugees fled the camps.

Approximately 25,000 citizens of the country were refugees in the DRC, Sudan, and Kenya during the year.

The law does not provide for the granting of asylum or refugee status in accordance with the definition of the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol; however, the Government has established a system for providing protection to refugees. In practice, the Government provided protection against refoulement, the return of persons to a country where they feared persecution. The Government granted refugee status or asylum and generally cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers. Unlike during the previous year, the Government did not forcibly relocate refugees or deny UNHCR access to camps.

The Government provided temporary protection to individuals who may not qualify as refugees under the 1951 Convention and 1967 Protocol, and also provided land for temporary resettlement to citizens from neighboring countries. This practice was extended to significant numbers of refugees during the year. More than 70 percent of the approximately 220,000 refugees in the country were from southern Sudan; there also were refugees from the DRC, Rwanda, and other countries.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government; however, Movement domination of the Government and some restrictive constitutional and statutory provisions limited citizens' effective exercise of this right. On November 17, the Constitutional Court declared sections of the 2002 Political Parties and Organizations Act (PPOA) that restricted political meetings and the registration of political parties unconstitutional; a 2003 court decision ruled that PPOA sections that prevented political parties from operating while the "Movement System" remained in place were unconstitutional. However, during the year, both national and local government officials continued to interpret the law to restrict opposition political activities.

The Constitution provides for an autonomous, independently elected president and a 305-member unicameral parliament whose members are elected to 5-year terms. The President dominated the Government, and Movement supporters remained in control of the Parliament. However, members of the Movement disagreed on several critical issues, including whether the constitutional presidential term limit should be lifted. Supporters of President Museveni retained a majority in Parliament, but not necessarily in sufficient numbers to pass constitutional amendments.

In 2001, six candidates competed in the presidential elections, including President Museveni and Kizza Besigye. President Museveni was reelected with 69.3 percent of the vote. The presidential election generally reflected the will of the population; however, there were many complaints of irregularities prior to and on election day, particularly regarding the voting process. There also were numerous reports of election-related violence and intimidation by both the Government and the opposition.

In 2001, elections were held for the 214 directly elected parliamentary seats. The elections generally reflected the will of the population; however, there were numerous instances of election-related intimidation and violence. The number of opposition M.P.s increased to 35 from 12, including 9 UPC M.P.s and at least 6 M.P.s from the DP. Others were affiliated loosely with the DP, and the affiliation of several other M.P.s was unclear. There were 230 M.P.s elected from the Movement Party, giving it a clear majority; however, a number of moderate Movement M.P.s kept their seats in spite of President Museveni's active campaigning for their opponents.

A 2002 parliamentary committee that investigated violence and irregularities in the 2001 presidential, parliamentary, and LC elections recommended that acting Army Commander Major General James Kazini, Presidential Advisor on Political Affairs Major Kakooza Mutale, Brigadier Julius Oketa, and other security personnel be further investigated and prosecuted for alleged crimes related to election violence; however, by year's end, no action had been taken.

The 2000 referendum on the role of political parties resulted in the indefinite extension of the Movement form of government and the indefinite continuation of restrictions on political parties. On June 25, the Constitutional Court ruled that numerous provisions of the 2000 Referendum Act, which established the rules and procedures for conducting the 2000 referendum, were unconstitutional; however, on September 2, the Supreme Court overturned parts of the Constitutional Court's ruling and validated the results of the referendum. Despite the referendum, the PPOA set rules for the registration and operation of political parties. These rules were highly restrictive, and many parties refused to register under the PPOA. In March 2003, the Supreme Court declared unconstitutional Sections 18 and 19 of the PPOA, which prohibit political parties from holding rallies, taking part in election campaigning, or holding offices outside Kampala; however, restrictions on both registered and unregistered opposition parties continued during the year. The Government restricted non-Movement political gatherings and dispersed numerous political meetings not sanctioned by the Movement (see Section 2.b.).

The ruling Movement regularly held rallies, conducted political activities, and in 2003 registered the National Resistance Movement-Organization, a new political party that generally operated without restriction. Some new parties, which registered under the 2002 PPOA, have been allowed to function, as have political parties that existed in 1986, when the Movement assumed power; however, there were significant limitations. During the year, many parties refused to register and continued to challenge the PPOA in the courts; however, nine opposition parties registered following the November Constitutional Court ruling.

On April 8, the Resident District Commissioner in Rukungiri instructed local officials to bar opposition candidates from campaigning at funerals or weddings.

During the year, the Electoral Commission organized parliamentary and district by-elections in Kamuli, Mbale Municipality, Bushenyi, Kabale, and Bukomansimbi. Observers characterized these elections as generally free and fair; however, there were some irregularities. For example, in Kamuli District, the presiding officer and polling assistants were arrested for "election malpractices." Several local council elections organized during the year by the EC were considered generally free and fair.

In September 2003, the Cabinet presented a list of its suggestions for constitutional change to the Constitutional Review Commission (CRC) that included the introduction of a multiparty system, increasing executive authority over the legislature, and the lifting of presidential term limits. After the CRC submitted its report to Parliament, the Legal and Parliamentary Affairs

committee on December 21 recommended the rejection of some of the Government's proposed amendments, but made no recommendation on the lifting of presidential term limits. No action had been taken on the report's recommendations by year's end.

Corruption continued to be a major problem. Despite credible evidence of wrongdoing, there were no prosecutions during the year of senior officials accused of corruption. The law requires the declaration of wealth by government officials and their family members, and the Government enforced the law during the year. A hotline established in 2003 by the Ministry of Ethics and Integrity continued to receive reports of corruption.

The 2003 courts-martial of army officials suspected of maintaining under-strength units and pocketing salary payments for so-called "ghost soldiers" was ongoing at year's end.

The Constitution provides for public access to government information, and on January 29, the Supreme Court overturned a provision of the 2000 Constitution Amendment Act that would have restricted such access.

The Constitution requires elections through electoral colleges for the 81 seats reserved for special interest groups in Parliament: 56 seats were reserved for women; 5 for organized labor; 5 for persons with disabilities; 5 for youth; and 10 for the army, which were selected by the UPDF High Command, chaired by President Museveni.

The Government used quotas in an aggressive effort to place women in positions of authority. In 2001, women won 12 nonreserved seats for the 295-member Parliament and held a total of 72 seats. There were 3 female ministers and 12 female junior ministers in the President's 66-member Cabinet. One woman served as Deputy Speaker, another as Deputy Chief Justice of the Supreme Court, and a woman headed the CID.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were responsive to their views; however, in August 2003, President Museveni issued a statement calling on civil society organizations to avoid involvement in partisan politics. Active domestic groups included the FHRI; FIDA-U; Human Rights Focus; the National Association of Women's Organizations of Uganda; the International Federation of Human Rights; and the Human Rights and Peace Center of Makerere University. Government officials continued to attend conferences and seminars hosted by NGOs on social problems and cooperated with NGOs on legal and prison reforms.

No action was taken on the Government's March 2003 call for a code of NGO conduct to minimize corruption.

The Government allowed visits by the ICRC, UNHCR, and several international human rights NGOs, including Amnesty International, HRW, and the International Justice Mission. On July 16, the ICRC resumed operations in the country after a 3-year suspension that followed the 2001 killings of six relief workers in the Ituri District of the DRC, an area then controlled by the UPDF. During the year, the ICRC resumed its visits to prisons, police stations, and military detention facilities.

The Constitution establishes the UHRC as a permanent independent body with quasi-judicial powers. The President appointed the UHRC's eight-member board. Under the Constitution, the UHRC may subpoena information and order the release of detainees and the payment of compensation for abuses. In several cases during the year, the UHRC Tribunal awarded compensation to complainants who had proven their allegations against government organs (see Sections 1.c. and 1.d.). The UHRC continued to pursue suspected human rights abusers, including high-level officials in the Government and military, and had branches countrywide, including in Gulu, Soroti, Mbarara, Fort Portal, Jinja, and Moroto. The UHRC Tribunal headquarters in Kampala received 1,080 new cases during the year, including some against senior government leaders and military and police officials. In September, the Government withdrew previous constitutional proposals to abolish the UHRC.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The Constitution prohibits discrimination based on race, sex, disability, language, or social status; however, the Government did not enforce the law in matters of locally or culturally accepted discrimination against women, children, persons with disabilities, or certain ethnic groups. Continued instability in the northern region led to violations of the rights of some Acholi, an ethnic group that comprises a significant part of the population; LRA rebels, although predominantly Acholi themselves, were responsible for the most serious human rights violations.

Women

Violence against women, including rape, remained common. A 2003 Johns Hopkins University study indicated that one in three women living in surveyed rural areas experienced verbal or physical threats from their partners, and 55 percent sustained physical injuries as a result of domestic abuse. The law prohibits assault, battery, and rape; however, there were no laws that specifically protected women from spousal abuse. Many law enforcement officials continued to view wife beating as a husband's

prerogative and rarely intervened in cases of domestic violence. Women remained more likely to sue for divorce than to file rape or assault charges against their husbands.

A 2003 HRW report concluded that married women were particularly vulnerable to HIV/AIDS infection as a result of forced sex in marriage by husbands with multiple partners or wives. HRW's report identified numerous social and legal obstacles to women's ability to protect themselves against HIV/AIDS infection in abusive relationships.

The law requires that bride prices be nonrefundable gifts to the parents of the bride. In March 2003, civil society organizations recommended to the CRC that bride prices be abolished; however, no action had been taken by year's end.

Thousands of women and girls were victims of abduction and rape by rebel forces. There also were reports that women were raped by the UPDF (see Sections 1.c. and 5, Children).

FGM was practiced by the Sabiny ethnic group, located in rural Kapchorwa District, and the Pokot ethnic group along the northeastern border with Kenya. There were approximately 10,000 Sabiny and approximately 20,000 Pokot in the country. Among the Sabiny, initiation ceremonies involving FGM were carried out every 2 years. In August, an official in Moroto District confirmed more than 84 cases of FGM in his sub-county; in 2003, there were 30 cases. In Kapchorwa District, there were 594 cases of FGM during the year, according to an anti-FGM organization.

There was no law against FGM, but the Government, women's groups, and international organizations continued programs to combat the practice through education. These programs, which received some support from local leaders, emphasized close cooperation with traditional authority figures and peer counseling. Significant press attention to these ongoing efforts brought public attention to the problem during the year.

Prostitution was illegal; however, it was common. There were no credible statistics available on the occurrence of prostitution, including child prostitution, during the year.

There were reports of trafficking in women, girls, and babies during the year (see Section 5, Trafficking).

Sexual harassment also was common. For example, in January, the Women's Commission for Refugee Women and Children reported that security forces, teachers, and others in the north sexually abused female "night commuters," the adults and children who fled their homes each night to seek shelter from LRA attacks and abductions. In March, Parliament registered complaints from women being asked for sexual favors during job interviews.

Traditional and widespread societal discrimination against women continued, especially in rural areas. Many customary laws discriminate against women in the areas of adoption, marriage, divorce, and inheritance. In many areas, women could not own or inherit property or retain custody of their children under local customary law. Traditional divorce law in many areas requires women to meet stricter evidentiary standards than men to prove adultery. Polygyny is legal under both customary and Islamic law. In some ethnic groups, men can "inherit" the widows of their deceased brothers. Women did most of the agricultural work but owned only 7 percent of the agricultural land. During the year, employers in the private sector frequently failed to apply the statutory provision that provides women maternity leave.

There were limits on a married woman's ability to travel abroad with her children (see Section 2.d.).

Numerous NGOs sponsored conferences and training programs on women's rights throughout the country. There were several active women's rights groups in the country.

Children

The Government demonstrated a commitment to improving children's welfare. Education received the largest percentage of the national budget. The Government did not enforce effectively the Children's Statute, which outlines broad protections for children, because of the large proportion of children in the population (approximately half of the country's population was under 15), staffing and fiscal constraints on the judiciary, and cultural norms. The law stipulates parents' responsibilities and provides extensive protection for children in a wide variety of areas, including financial support, foster care placement, adoption, determination of parentage, and treatment of children charged with offenses. The law also prohibits children from taking part in any activity that was likely to injure the child's health, education, or mental, physical, or moral development; however, the Government often did not enforce these prohibitions.

The Government continued the Universal Primary Education (UPE) program, which provided free education through the seventh grade; however, education was not compulsory. UPE increased funding for education, provided additional skills training for teachers, and reduced the textbook to student ratio; however, some provisions had not been implemented fully by year's end. Strained finances, corruption, instability in some areas, infrastructure problems, and inadequate teacher training prevented full implementation. The UPE program made education more accessible financially; however, parents still had to pay for school supplies and some school costs.

According to UNICEF, the country's primary school enrollment rate was 86 percent for both boys and girls. Girls and boys theoretically had equal access to education in the lower grades; however, the proportion of girls in higher school grades remained low because families traditionally favored boys when making educational decisions. Boys also were more likely to finish primary school and performed better on examinations for admission into secondary school. The Government continued several programs to promote a national plan for the education of girls. According to the 2002-03 National Household Survey, only 59 percent of adult women were literate compared with 80 percent of adult men.

Child abuse remained a serious problem, particularly rape and other sexual abuse of girls, offenses known as "defilement." Defilement applied to all cases of sexual contact outside of marriage with girls younger than 18 years of age, regardless of consent or the age of the perpetrator. The perpetrators of defilement often were family members, neighbors, or teachers. During the year, 1,878 persons were convicted of defilement, and 1,818 suspects were awaiting trial at year's end. Defilement carried a maximum sentence of death; however, no court sentenced persons convicted of defilement to death during the year. In practice, defilement cases often were settled by a payment to the girl's parents.

During the year, teachers were arrested for defilement. For example, the Arua District education officer reported that between June and October, three teachers were arrested for defilement.

Corporal punishment is banned; however, many schools used it. In April, the UHRC summoned to testify Fabian Bahemuka and Fedeli Muleme, teachers of St. Aloysius Bukalagi Primary School, in Mpigi District, for allegedly caning a pupil into a coma in 2002. During the year, the UHRC tribunal mediated a settlement that required the teachers to pay the pupil's family \$115 (200,000 shillings).

There were credible allegations of actual and attempted ritual killings of children during the year. For example, in February, police in Kayunga District arrested and detained two traditional healers for allegedly attempting to murder an 11-year-old boy; no further information was available.

There were no developments in the February 2003 and May 2003 ritual killings of children. There were no developments in 2002 ritual killings of children.

The marriage of young girls by parental arrangements was common, particularly in rural areas.

FGM was performed on girls in the Sabinu and Pokot ethnic groups (see Section 5, Women).

Child prostitution and trafficking were problems (see Section 5, Trafficking).

The legal recruitment age for military service was 18 years; however, persons below the age of 18 occasionally enlisted, sometimes with the collusion of local officials. During the year, there were reports that the Government continued to recruit children into the UPDF. Other children were reported to have been recruited into LDUs. The UPDF denied that it had actively recruited child soldiers, but said some might have been allowed to join through deception or oversight. However, other reports indicated that the UPDF detained some former LRA child combatants for unacceptably long periods, and in some cases, used them on intelligence and reconnaissance missions.

During the year, the UPDF collaborated with UNICEF to identify and remove 300 to 400 underaged soldiers from the 60,000-soldier UPDF. There were also efforts to identify and remove underaged recruits from LDUs, where underage recruitment reportedly was a more serious problem.

There were an estimated 2 million children who had lost one or both parents. This large number of orphans resulted from wars and other instability, population dislocation, and HIV/AIDS.

Child labor was a problem (see Section 6.d.).

Approximately 12,000 children have been abducted during the last 2 years, and the LRA continued to abduct children and, at clandestine bases, to force them into virtual slavery as laborers, soldiers, guards, and sex slaves. In addition to being beaten, raped, and forced to march until exhausted, abducted children were forced to participate in the killing of other children who attempted to escape. More than 85 percent of LRA forces were made up of children whom the LRA abducted and forced to fight as rebels; most LRA rebels were between the ages of 11 and 16.

During the year, the UPDF rescued numerous children abducted by the LRA; 15,000 children have returned from LRA captivity since the conflict began. The UPDF's Child Protection Unit continued to provide treatment to returned abductees upon arrival at military facilities. It also escorted ex-abductees to NGO facilities, which provided assistance and counseling to the children and their families. The Government also worked closely with NGOs in the north to facilitate their assistance programs for amnesty seekers and rescued children; however, these programs were primarily financed by donors. The Amnesty Commission provided orientation to officials in Sudan to better assist applicants, including former abducted child soldiers, to enter the amnesty program.

Between 32,000 and 52,000 children known as "night commuters" traveled from conflict areas or IDP camps each night to urban centers to avoid abduction by the LRA. In March, the U.N. estimated that nearly 18,800 children commuted nightly into Gulu town, 11,000 in Kitgum, and 11,000 in a Kalongo Hospital in Pader District. During the year, the Government cooperated with NGOs to establish shelters for such children in tented dormitories and other semi-permanent structures; in other cases, children slept under balconies or on the grounds of schools, churches, and hospitals. Conditions ranged from harsh to adequate. There were credible reports that many displaced girls became involved in prostitution.

Trafficking in Persons

The law does not specifically prohibit trafficking in persons; however, it prohibits trafficking-related offenses. The penalty for the procurement of women for purposes of prostitution or detention with sexual intent is up to 7 years' imprisonment; the penalty for trading in slaves is up to 10 years' imprisonment. A range of sentences up to the death penalty can be imposed for defilement (sex with minors). Forced labor is a misdemeanor. There were reports that persons were trafficked to, from, or within the country. During the year, persons were arrested for trafficking-related offenses; however, none reportedly were convicted.

In addition to trafficking related to LRA abductions (see Sections 1.b. and 5), adults and children were trafficked internally for labor, commercial sexual exploitation, and criminal activities.

During the year, there were media reports that several women from South Asia were trafficked to the country under false pretenses and forced into prostitution; some of the women also claimed that they had been tortured and raped. On June 30, police arrested the owner of the restaurant where some of the women were found. A parliamentary committee reportedly planned to investigate the extent of the trafficking of South Asian women to the country; however, no action had been taken by year's end.

Unlike in previous years, there were no reports that the SPLA forcibly recruited Sudanese refugees in the north for service in their forces.

The Government, through the military and civilian agencies, continued efforts to combat LRA trafficking in persons. The Government began Operation Iron Fist in 2002 to eradicate the LRA threat and has continued to offer amnesty to former rebels, providing resettlement packages with educational benefits and vocational training. The Government also established protected camps garrisoned by the UPDF that have helped to prevent abductions (see Sections 1.b. and 2.d.).

Persons with Disabilities

The Constitution provides persons with disabilities "a right to respect and human dignity"; however, widespread discrimination by society and employers limited job and educational opportunities for such persons. There was no statutory requirement that buildings be accessible for persons with disabilities. There was a Minister of State for Disabled Persons, and five seats in Parliament were reserved for representatives of persons with disabilities. There was also a Department for Disabled Persons within the Ministry of Gender, Labor, and Social Development; however, this institution lacked sufficient funding to undertake or support any significant initiatives.

The Children's Act required that children with disabilities be given necessary special facilities; however, in practice inadequate funding hampered enforcement of this provision.

National/Racial/Ethnic Minorities

Civil strife in the north and east led to the violation of the rights of members of the Acholi, Langi, and Ateso ethnic groups, who primarily resided in the districts of Gulu, Kitgum, Pader, Lira, Apac, and Soroti. LRA rebels, who themselves largely were Acholi, committed abuses against ethnic Acholi and other ethnic groups. The LRA in particular was implicated in the killing and kidnapping of Acholi tribe members (see Section 1.g.). During the year, the UPDF committed abuses against ethnic Acholi during combat operations against the LRA. Ethnic Acholi leaders also complained that outsiders were attempting to take advantage of continuing instability to steal their land.

Inter-ethnic violence between the Langi and Acholi ethnic groups resulted in deaths. On February 25, a joint force of UPDF troops and police fired in the air after a peace march commemorating the victims of the February 21 LRA attack on Barlonyo IDP camp became violent. One person was shot to death by the joint force, and four persons were lynched by the mob; there were numerous injuries. Observers reported that approximately 500 members of the Langi ethnic group broke away from the demonstration to attack Acholis and their property and that the violence appeared to be exacerbated by February 24 anti-Acholi and anti-foreign broadcasts on Lira radio.

During the year, raids by armed Karamojong warriors in Katakwi, Kotido, and Kapchorwa Districts in the northeast resulted in approximately 100 deaths. The raids reportedly exacerbated ethnic tensions in the northeast (see Section 1.a.). The Government's mandatory disarmament program for Karamoja, which has caused confrontations between the UPDF and the Karamojong, continued, and negotiations continued for a Karamojong-led solution. The UPDF and police continued efforts to improve security conditions by arresting cattle rustlers and preventing cross-border incursions.

Incitement to Acts of Discrimination

Anti-Acholi messages on Lira radio throughout the evening of February 24 contributed to the violence in a February 25 demonstration (see Section 5, National/Racial/Ethnic Minorities).

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right of every person to join workers' associations or trade unions; however, the Government at times did not respect this right in practice. Employers often did not observe the requirement to recognize a union. The right to form unions extended to civil servants; however, many "essential" government employees were not permitted to form unions, including police, army, and management-level officials throughout government. The Government failed to enforce the rights of some employees to join unions in newly privatized industries and factories.

The law allows unionization if 51 percent or more of the work force support it and if the proposed union represents at least 1,000 employees. These requirements effectively prevented workers in important parts of the private sector from forming unions, especially in the textile, hotel, and construction sectors.

The law does not prohibit anti-union discrimination by employers, and union activists were not protected sufficiently from retribution for union activities; however, there were no reported incidents of government harassment of union officials during the year. There were reports that several private companies urged workers not to take part in unionization efforts.

b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively; however, the right to organize was rarely defended by the Government, and true collective bargaining occurred only in the small private sector of the modern economy. There are no export processing zones.

The Constitution provides for the right to strike; however, the Government seldom defended this right, and government policy required labor and management to make "every effort" to reconcile labor disputes before resorting to strike action. This directive presented unions with a complicated set of restrictions. If reconciliation did not appear to be possible, labor had to submit its grievances and give notification of the strike to the Minister of Labor, who usually delegated the dispute to the IC. In principle, IC rulings were final, but in practice, they could be appealed to the High Court, an option often taken by employers. The Minister of Labor generally did not permit strikes in the absence of a determination from the IC that "every effort" had been exhausted. The Government only took limited action on organized labor complaints; however, frustrated laborers often went on strike anyway.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see Sections 5 and 6.d.). Prison officials hired out prisoners to work on private farms and construction sites, where the prisoners often were overworked. Throughout the country, prison officials routinely supplemented their meager wages with cash crops grown by prisoners on the prison grounds (see Section 1.c.). Male prisoners performed arduous physical labor while female prisoners produced marketable handicrafts such as woven basketry. Juvenile prisoners performed manual labor, often for 12 hours per day. Compensation, when paid, generally was very low.

There were also complaints that the UPDF forced ethnic Acholi citizens to clear roadways in war-affected regions of the north.

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employers from hiring workers below the age of 18; however, child labor was common, especially in the informal sector. Demographics contributed to the problem of child labor; half of the population was under 15 years of age. Many children left school and went into agricultural or domestic work to help meet expenses or perform the work of absent or infirm parents, a situation common throughout the country (see Section 5). The problem was particularly acute among the large orphan population.

In urban areas, children sold small items on the streets, were involved in the commercial sex industry, worked in shops, or begged for money (see Section 5). Children were also employed in the tea harvesting sector.

In the past, smuggling was one of the larger informal industries and employed large numbers of child laborers at the borders with Kenya and Tanzania; however, there were no reports of such activity during the year.

The law prohibits forced and bonded labor by children; however, a lack of resources prevented the Government from enforcing this prohibition effectively. There were reports the UPDF used

former LRA child soldiers on reconnaissance and intelligence missions (see Section 5).

The LRA often forced abducted children into virtual slavery as guards, laborers, soldiers, and sex slaves (see Section 5).

The Ministry of Gender, Labor, and Social Development enforced the law on child labor; however, financial constraints limited the Ministry's efforts. The Government made efforts to decrease the incidence of child labor during the year. The Government coordinated its efforts to stop child labor through the National Steering Committee on Child Labor, which brought together representatives of the Ministry of Gender, Labor, and Social Development; the Ministry of Education and Sports; the Ministry of Local Government; the Federation of Uganda Employers; the National Organization of Trade Unions; NGOs; journalists; and academicians. The Government organized a number of child labor awareness workshops, disseminated printed information, and sponsored radio and television discussions to educate the public on child labor issues. Several human rights NGOs continued programs during the year aimed at removing children from hazardous work.

The Government also cooperated with the ILO, foreign governments, and NGOs in several initiatives to combat child labor, including the education and reintegration of children into their communities.

e. Acceptable Conditions of Work

The minimum legal wage was \$3.50 (6,000 shillings) per month, a rate set in 1984; however, this wage was not enforced effectively in practice. The Government and the private sector negotiated a new rate in 2003; however, no minimum wage legislation had been passed by year's end. The existing minimum wage did not provide a decent standard of living for a worker and family.

In industries that employed workers on an hourly basis, the normal workweek was 40 hours. There was no legal maximum workweek; however, employers were supposed to pay a time-and-a-half rate for each additional hour worked beyond a 48-hour workweek. Many industries paid workers incrementally to avoid overtime and circumvent the prohibition on child labor. Many companies employed workers as "casual laborers" or "contract workers" to avoid providing benefits.

The law establishes some occupational health and safety standards. The Workers' Compensation Act provides compensation, based on monthly salaries, for workers injured or killed at work. The Ministry of Gender, Labor, and Social Development's Department of Occupational Health was responsible for enforcement of occupational safety regulations; however, in practice, inspections were rare, primarily due to the lack of vehicles and funding for inspection trips. There were fatal accidents at several construction projects. The limited occupational safety regulations under the law did not prevent the dismissal of workers who refused to perform dangerous work; however, strong unions in certain dangerous industries protected such workers.

Foreign workers are protected under the Occupational Health and Safety Law. The law does not exclude illegal workers; however, illegal workers who filed claims risked government scrutiny of their employment status and possible prosecution or deportation.